

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONALD HARVEY,	:	PRISONER HABEAS CORPUS
BOP No. 26795-047,	:	28 U.S.C. § 2241
Petitioner <u>pro se</u> ,	:	
	:	
v.	:	
	:	
UNNAMED,	:	CIVIL ACTION NO.
Respondent.	:	1:16-CV-367-RWS-WEJ

FINAL REPORT AND RECOMMENDATION

Petitioner pro se, Donald Harvey, is confined in the Federal Correctional Institution in Bastrop, Texas. Federal court records indicate that petitioner was convicted in the District of Nebraska. See United States v. Harvey, No. 8:14-cr-318-LES-FG3-1 (D. Neb. filed Sept. 17, 2014). Petitioner has submitted a letter to the United States District Court for the Northern District of Georgia instead of the intended recipient, Attorney Ann Marie Fitz, and the Clerk has docketed the letter as a Petition for Writ of Habeas Corpus [1].¹ Because there is no indication that petitioner intended to commence a case in this Court, this action should be administratively closed. Petitioner is advised that he may send his letter directly to Attorney Fitz.

¹ The Clerk is **DIRECTED** to update the docket sheet to reflect that the proper cause of action for this case is a habeas corpus petition pursuant to 28 U.S.C. § 2241.

Accordingly, the undersigned **RECOMMENDS** that this action be **ADMINISTRATIVELY CLOSED**.

The Clerk is **DIRECTED** to terminate the referral to the Magistrate Judge.

SO RECOMMENDED, this 11th day of February, 2016.



WALTER E. JOHNSON
UNITED STATES MAGISTRATE JUDGE